



U.S. Department of Justice

United States District Court
Southern District of New YorkJacob K. Javits
26 Federal Plaza
New York, New York 10278

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February 24, 2025

BY ECF and Email

The Honorable Kimba M. Wood
 United States District Judge
 Daniel Patrick Moynihan U.S. Courthouse
 Southern District of New York
 500 Pearl Street
 New York, New York 10007

MEMO ENDORSED**Re: *United States v. Maximo Pena*, 90 Cr. 553 (KMW)**

Dear Judge Wood:

The Government writes respectfully to request an extension of time to file its response to defendant Maximo Pena's second motion for a reduction of sentence pursuant to 18 U.S.C. § 3582(c)(1)(A). Dkt. 149 (the "Motion"). On January 30, 2025, the defendant filed the Motion *pro se*. On February 3, 2025, the Court ordered the Government to respond to the Motion by February 24, 2025, and stated that the defendant's reply, if any, is due by March 17, 2025. In advance of filing its response, the Government contacted the Federal Bureau of Prisons ("BOP") to confirm whether the BOP or relevant facility received the defendant's administrative request for relief, reflected in Exhibit B to the Motion, and if so whether and how the BOP responded to the request. *See* Dkt. 149-2. Today, the BOP informed the Government that it will need an additional several days to obtain and provide the information requested. Accordingly, the Government respectfully requests an extension of time to file its response to Friday, February 28, 2025. The Government requests also that the Court allow the defendant to file a reply, if any, by

The Government's request for an extension of time to respond to the defendant's motion for a reduction of sentence is GRANTED.
The Government's response is due February 28, 2025.
Defendant's reply, if any, is due March 21, 2025.

SO ORDERED.

DATED: New York, New York
February 25, 2025

/s/ Kimba M. Wood
KIMBA M. WOOD
UNITED STATES DISTRICT JUDGE

March 21, 2025.

Respectfully submitted,

MATTHEW PODOLSKY
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By:



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